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Supreme Court, U. S.
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No. 74-5991

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1974

ADREW PORTER, et al., on behalf of herself and others similarly situated,
Plaintiffs-Appellants,

versus

MOORE BUSINESS FORMS, INC.,
Defendant-Appellee.

Defendant-Appellee's Brief in Opposition to Petition for a Writ of Certiorari

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MOORE BUSINESS FORMS, INC.,
Defendant-Appellee.

Defendant-Appellee's Brief in Opposition to Petition for a Writ of Certiorari

Now comes Moore Business Forms, Inc., Defendant-Appellee, hereinafter referred to as Respondent, and files this its Brief in Opposition to a Petition for a Writ of Certiorari filed by Adrew Porter, Petitioner.

Respondent's Brief is filed pursuant to Rule 24, U.S. Sup. Ct. Rule 24, 28 U.S.C.A.

STATEMENT OF RESPONDENT'S GROUNDS FOR OPPOSING PETITIONER'S PETITION FOR A WRIT OF CERTIORARI

It is the Respondent's contention that the Petitioner has failed to state grounds to support a review on writ of certiorari pursuant to Rule 19, U.S. Sup. Ct. Rule 19, 28 U.S.C.A.

ARGUMENT

The Petitioner apparently seeks to review the decision of the Trial Court only in respect to findings of fact. These are the same grounds urged by the Petitioner in Petitioner's appeal to the Court of Appeals for the Fifth Circuit.

Petitioner's Petition fails to state a reason or reasons within the scope of Rule 19, U.S. Sup. Ct. Rule 19, 28 U.S.C.A. which would support a review on writ of certiorari.

The rule in *Bolton v. Murray Envelope Corporation*, 5 Cir., 1974, 493 F. 2d 191, to-wit: Findings of fact by District Courts may be set aside only if unsupported by evidence, is not in conflict with any other circuit.

CONCLUSION

The Petition should be denied.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of February, 1975, two copies of Respondent's Brief in Opposition to Petitioner's for Writ of Certiorari were served upon Adrew Porter, Petitioner, by depositing copies of same in the United States mail, adequate postage prepaid:

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